

**TITLE #: 40**  
**Ordinance #: 03-24-14-016**

**Date: 03-24-2014**

## **ORDINANCE for Alarms and Security Systems**

**DESCRIPTION:** This ordinance shall be known as the “Town of Cheswold Alarm and Security System Regulations”, as it establishes standards of behavior for property owners, residents and businesses while utilizing Alarm and Security Systems within the Town of Cheswold. It shall sometimes and herein be referred to as the Alarm Ordinance and shall apply to and include the entire corporate limits of the Town of Cheswold, Kent County – State of Delaware.

### **Section 1. PURPOSE**

This Ordinance is enacted to protect, preserve and promote the health, safety, welfare, peace and quiet for the citizens of the Town of Cheswold through the reduction of false alarms in the Town of Cheswold. The intent of this Ordinance is to establish standards which will eliminate and reduce unnecessary alarms which require the response of the Town of Cheswold Police Department to preserve the life and property of the residents, homes and businesses within the entire corporate limits of the Town of Cheswold, Kent County – State of Delaware.

### **Section 2. AUTHORITY TO ACT**

The Town Charter of the Town of Cheswold, Section 6.8.2 vests authority with the Town Council to enact ordinances or resolutions relating to any subject within the powers and functions of the Town, or relating to the government of the Town, its sanitation, beauty, health, safety, convenience and property, and to fix, impose and enforce the payment of fines and penalties for the violation of such ordinances or resolutions on any subject not specifically enumerated.

### **Section 3. FALSE ALARMS PROHIBITED**

No person shall willfully make or cause to be made any false alarm by means of fire, alarm, telegraph system, or by any means of any public or private alarm system, or by telephone, or by word of mouth, or by any means of communication; whatsoever.

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### **Section 4. EXCEPTIONS**

This ordinance shall not apply to Town, State or Federal employees or contractors who are testing such alarms or are otherwise working with the same in their normal course of employment, provided they have contacted the Police Department or dispatch center prior to commencement of such work.

## **Section 5. DEFINITIONS**

As used in this Ordinance, the following terms shall have the specified meaning:

**5.1 ALARM SYSTEM** – An assembly of equipment and devices arranged to signal the presence of a situation requiring urgent attention and to which police and/or fire are expected to respond.

**5.2 ALARM USER** – Any person, firm, partnership, corporation or other entity or any agent, officer, or employee thereof on whose premises an alarm system is maintained within the Town limits of Cheswold. In the case of leased premises, the tenant shall be presumed to be the alarm user, absent a showing that neither the tenant nor his or her agents or employees controls the activation of the alarm.

**5.3 FALSE ALARM** – The activation of an alarm system through negligence of the alarm user and/or alarm system causing the police and/or fire to respond. Negligence does not include alarms caused by hurricanes, tornadoes, earthquakes, or mechanical failure; provided, however, that in the event that during the course of failures, causing a false alarm, then the third such mechanical failure within the calendar year shall constitute negligence..

## **Section 6. REGISTRATION OF ALARM SYSTEM**

- 6.1** A security system user shall not operate, or cause to be operated, a security system at its security system site without having system registered with the Cheswold Police Department. A separate security system registration is required for each security system site.
- 6.2** The security registration application form must be submitted to the Cheswold Police Department within thirty (30) days after the security system at a particular site has been activated, or within thirty (30) days after a security system takeover, or within thirty (30) days after this Ordinance has been enacted by the Town of Cheswold Mayor and Council.
- 6.3** The security registration application must include the following information:  
(Registration forms can be obtained at the Cheswold Police Department or the Town of Cheswold website)
  - 6.3.a** The name and complete address of the security system site, the classification of the system as either residential or commercial.
  - 6.3.b** The name, address and telephone number of the person responsible for that security system site.
  - 6.3.c** For each security system at the site, the classification of each security system (i.e burglaries, hold up, duress, panic alarm, etc.) and if each alarm is audible or silent.
  - 6.3.d** Any dangerous or special conditions present at the security system site.
  - 6.3.e** The names, addresses and telephone numbers of at least two (2) individuals who are able to gain access to the security system site and who has authority to deactivate the system.

- 6.4** A security system registration shall not be transferrable to another person or security system site. The Cheswold Police Department must be notified of any change that alters any of the information listed on the security system registration within five (5) days of such change.

## **Section 7. MAINTENANCE OF ALARM SYSTEM**

Every alarm user shall maintain its alarm system in such a manner as to minimize the number of incidents of false alarms to the police and/or fire departments.

## **Section 8. FINES**

- 8.1** An alarm user is permitted to have two (2) false alarms, without penalty every calendar year. When there is a false alarm signal eliciting notification to and response by, the Cheswold Police Department, and such response is not required, but is in fact negligently caused by the alarm user, then the user shall be assessed a penalty, according to the following fee schedule:

Number of False Alarms	Amount of Fine
3	\$25.00
4	\$50.00
5	\$75.00
6	\$100.00
7 & Over	\$250.00

- 8.2** Anyone found to have violated any section of Section 6 shall be subject to a penalty of \$50.00.

## **Section 9. SEVERABILITY**

- 9.1** If any provision of this Ordinance or any application of this Ordinance to any particular entity or circumstance shall be deemed invalid, such invalidity shall not affect any other provision or application of this Ordinance, which may otherwise be given effect and to this end the provisions of this Ordinance are hereby declared to be severable.

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## **Section 10. EFFECTIVE DATE**

- 10.1** This ordinance and the rules, regulations, provisions, requirements, orders, administration and management and matters established and adopted hereby shall take effect and be in full force and effect from Tuesday, April 8, 2014, and after the date of its final passage and adoption.





## CHESWOLD POLICE DEPARTMENT

### Alarm Registration Form



Complete Form, Print Out Form and Mail to: Cheswold Police Department P.O. Box 220 Cheswold, DE 19936

RESIDENCE ☐

BUSINESS ☐

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

Telephone (s): Residence \_\_\_\_\_ Other \_\_\_\_\_

OWNER: ☐ SAME AS ABOVE

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

Telephone (s): Residence \_\_\_\_\_ Other \_\_\_\_\_

Contacts if owner can't be reached:

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### ALARM COMPANY

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

**CHESWOLD POLICE DEPARTMENT**  
**Alarm Registration Form (cont.)**

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**ALARM SYSTEM**

Make & Model \_\_\_\_\_

Please check all that apply:

- ☐ Open Doors (only)      ☐ Open Windows      ☐ Glass Breakage  
☐ Motion

DATE OF INSTALLATION \_\_\_\_\_

DOES THE ALARM RESET ITSELF?

☐ YES      ☐ NO      Reset Time \_\_\_\_\_

LOCATION OF ALARM CONTROL: \_\_\_\_\_

*NOTE: All audible alarm systems must cease emitting sound within 15 minutes after activation (Ord. 319. 16.)*

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**BUILDING INFORMATION**

CHECK IF ANY OF THE FOLLOWING ARE ON THE PREMISES:

- ☐ Employees residing at premises      ☐ Night Lights (indicated times they are on/off:  
☐ Security Guard      ON \_\_\_\_\_ OFF \_\_\_\_\_  
☐ Dogs  
☐ Special Building Features (explain) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**DISCLOSURE AND SIGNATURE**

Note: Information provided on this for is limited to law enforcement use.

Signature of owner or representative completing form  
\_\_\_\_\_

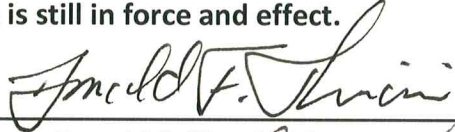
Official Use:

DATE COMPLETED: \_\_\_\_\_

Ordinance No. 03-24-14-016 entitled, Alarm and Security Systems Ordinance was duly adopted by a majority vote of the Cheswold Town Council at the Council meeting held on Monday, April 7, 2014, at which a quorum was present.

I, Donald F. Tinari, Mayor of the Town of Cheswold, do hereby certify that the foregoing is a true and correct copy of the Ordinance passed by an affirmative majority vote of all elected members of the Town Council of Cheswold at a regularly scheduled Town Council Meeting, held on, Monday, April 7, 2014, at which a quorum was present and voting throughout, and that the same is still in force and effect.

CERTIFIED: \_\_\_\_\_



Donald F. Tinari - Mayor

Date: April 7, 2014

ATTEST: \_\_\_\_\_



Theon E. Callender - Secretary/Treasurer

Date: April 7, 2014

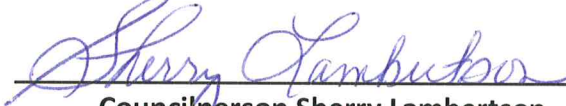
Agreed: \_\_\_\_\_



Vice-Mayor Robert W. Sine

Date: April 7, 2014

Agreed: \_\_\_\_\_



Councilperson Sherry Lambertson

Date: April 7, 2014

Agreed: \_\_\_\_\_

Councilperson Position: VACANT

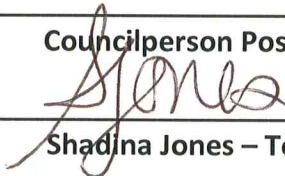
Date: April 7, 2014

Agreed: \_\_\_\_\_

Councilperson Position: VACANT

Date: April 7, 2014

NOTARIZED: \_\_\_\_\_



Shadina Jones - Town Clerk

Date: April 7, 2014

Agreed as to Form by Town of Cheswold Attorney Fred Townsend III, Esquire: March 24, 2014

Primary Sponsor: Police Chief Christopher Workman

Co-Sponsor: Secretary/Treasurer Theon E. Callender

Introduction: March 4, 2014